

INSTITUTE OF Law, Psychiatry  
and Public Policy UNIVERSITY OF VIRGINIA  
P.O. Box 800660 • UVA Health System • Charlottesville, Virginia 22908-0660

October 15, 2010

Brian A. Hill, Esquire  
Miller Chevalier  
655 Fifteenth Street, N.W.  
Suite 900  
Washington, D.C. 20005-5701  
Fax: (202) 626-5801

Re: *The Estate of Yaron Ungar et al. v. The Palestinian Authority, et al.*

Dear Mr. Hill,

As per your request, this letter serves as the Rule 26(a)(2) Expert Report of my Opinion on whether the examination of Dr. Allan Brenman was sufficient to render an expert opinion on the issues before the court in the above referenced case, specifically with respect to the psychological status of Dvir and Yishai Ungar and the relationship of their current mental status to the deaths of their parents.

I am an Associate Professor of Psychiatry and Behavioral Neurosciences at the University of Virginia School of Medicine and the Medical Director of the Institute of Law, Psychiatry and Public Policy at the University of Virginia. I am an attending psychiatrist at the Commonwealth Center for Children and Adolescents in Staunton, Virginia. My publications and credentials to provide this expert opinion are outlined in my Curriculum Vitae, attached hereto as Exhibit A. A list of deposition and trial testimony provided over the past four years is also included. The fee for all time and services performed by me is \$400.00 per hour for evaluation services and \$500.00 per hour for any legal proceeding, including declarations, affidavits, depositions, and court testimony.

This analysis was performed by the application of my education, training, and experience to the facts of the case and by reviewing the following material:

1. The two-day hearing transcripts from the Damages hearing that occurred on July 12, 2002 and July 15, 2002, which included the testimony of psychologist Allan Brenman
2. The January 27, 2004 Decision in the above referenced case

Richard Bonnie, L.L.B./Director  
Bruce Cohen, M.D., Thomas Hafemeister, J.D., Ph.D.,  
Shelly Jackson, Ph.D., John Monahan, Ph.D., Daniel Murrie, Ph.D.,  
Eileen Ryan, D.O., Janet Warren, D.S.W.  
Telephone 434-924-5435 • Facsimile 434-924-5788 • Website [www.ilppp.virginia.edu](http://www.ilppp.virginia.edu)  
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3. The July 12, 2004 Decision in the above referenced case

A forensic evaluation differs from a clinical evaluation in a number of important ways, and the role of a forensic evaluator differs from that of a clinical psychologist or psychiatrist evaluating a potential patient. Given the fact that forensic evaluation is undertaken for legal purposes, the forensic evaluator must be aware of the multitude of factors impacting on the reasons for the evaluation as well as the evaluatee's claimed distress. The need to strive for objectivity is a canon of forensic evaluation. Objectivity requires that the evaluator be privy to all the data available and to search for information that might contradict the evaluator's initial opinion and/or biases. It is my opinion to a reasonable degree of medical certainty that Dr. Brenman's testimony indicates deficits in several areas of forensic evaluation that compromised his ability to render an opinion to a reasonable degree of professional certainty:

1. Dr. Brenman spoke to Dvir and Yishai Ungar on what he admitted was a "superficial" level, and did not perform an "in-depth" assessment of them. Therefore he did not assess their then current mental status, nor did he perform an adequate evaluation of their emotions, cognitions, and behaviors that may or may not have been related to the death of their parents. A thorough forensic evaluation would need to have included a standard psychological or psychiatric evaluation of each boy, including a mental status evaluation, in order to diagnose the presence or absence of a mental disorder.
2. Dr. Brenman's opinion regarding the Ungar boys' functioning at that time was based on history provided by the maternal grandparents, which was inadequate for the purposes of forensic psychological evaluation. In forensic evaluation, the possibility that the evaluatee and his or her family may have strong and understandable reasons to minimize, exaggerate, or misperceive signs and symptoms must be considered. Therefore it is critical that additional data be sought in forming one's opinion. Such sources of information may include:
  - a. School records
  - b. Medical and mental health records, including records of grief counseling, psychiatric or psychological evaluation, and mental health treatment records
  - c. Other pertinent records as available that may have shed light on the boys' functioning at the time of the evaluation and in the past
3. Because Dr. Brenman lacked sufficient data on their then current mental state of Dvir and Yishai Ungar, and did not obtain their own accounts of how they perceived the deaths of their parents to have affected them, much of his testimony recounted possibilities of how children generally might be expected to react. His opinions were not based on adequate evaluations of these particular boys, Dvir and Yishai Ungar. Adequate forensic evaluation would have included collateral interviews with additional collateral sources who knew the boys, and a review of critical records, which would have provided more objective data regarding their functioning.
4. While Dr. Brenman testified that the children had suffered "psychic trauma," he had not performed an adequate psychological evaluation of the children, which would have been necessary to come to that conclusion. As in other areas of

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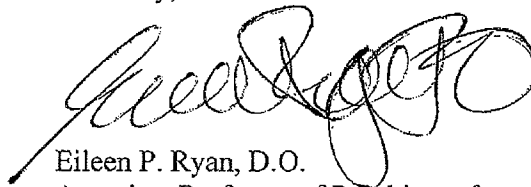
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medicine, a thorough evaluation is critical to accurate diagnosis. While it may be appropriate to assume that an individual who has been exposed to tuberculosis, may have contracted tuberculosis, this is not always or even often the case. Whether or not an exposed individual is infected with the pathogen that causes tuberculosis is result of a variety of factors. Likewise, whether or not an individual manifests a psychiatric disorder is related to a host of factors, and proper evaluation requires a thorough assessment of the individual as well as his or her environment. Dr. Brenman did not perform a forensic psychiatric or psychological evaluation that would have enabled him to testify to a reasonable degree of professional certainty regarding the mental state of either Ungar child or to the potential relationship of parental loss to their then current functioning.

I hope that the information I have provided is useful and clear. Please feel free to contact me with any questions at (540) 294-0632.

Sincerely,

A handwritten signature in black ink, appearing to read "Eileen P. Ryan". The signature is fluid and cursive, with a large loop at the end.

Eileen P. Ryan, D.O.  
Associate Professor of Psychiatry &  
Neurobehavioral Sciences  
Medical Director, Institute of Law,  
Psychiatry & Public Policy  
University of Virginia

## **EXHIBIT A**

**EXHIBIT A****EILEEN P. RYAN, D.O.**

**Institute of Law, Psychiatry & Public Policy  
Box 800660**

**University of Virginia Health System  
Charlottesville, Virginia 22908  
(540) 294-0632 or (434) 924-9848 (phone)**

**(434) 243-5788 (fax)**

**er3h@virginia.edu**

**epr7857@comcast.net**

**Curriculum Vitae****I. Education**

**1979**

**Bachelor of Arts**

New York University

New York, New York

**1984**

**Doctor of Osteopathic Medicine**

Chicago College of Osteopathic Medicine

Chicago, Illinois

**II. Academic Appointments**

**1989--1992**

**Assistant Professor of Child and Adolescent Psychiatry**

Department of Psychiatry

University of Pittsburgh School of Medicine

Pittsburgh, Pennsylvania

**1989--1992**

**Medical Director**

Diagnostic and Evaluation Center

Western Psychiatric Institute and Clinic

University of Pittsburgh Medical Center

Pittsburgh, Pennsylvania

**1989--1992**

**Medical Director**

Clinical Interviewing and Scheduling Center

Western Psychiatric Institute and Clinic

University of Pittsburgh Medical Center

**1992--2002**

**Assistant Professor of Clinical Psychiatric Medicine**

Department of Psychiatric Medicine

University of Virginia School of Medicine

Charlottesville, Virginia

**2002--present**

**Associate Professor of Psychiatry and Behavioral  
Neurosciences**

Department of Psychiatry and Behavioral Neurosciences

CURRICULUM VITAE  
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2002--present	University of Virginia School of Medicine <b>Director, Forensic Child Psychiatry Clinic</b> Institute of Law, Psychiatry and Public Policy University of Virginia Health System
2004--present	<b>Medical Director</b> Institute of Law, Psychiatry and Public Policy University of Virginia Health System
2005--2010	<b>Section Chief, Community Services and Public Policy</b> Department of Psychiatry and Behavioral Neurosciences University of Virginia Health System
2009--present	<b>Associate Professor of Psychiatry and Behavioral Neurosciences</b> University of Virginia School of Law

**III. Postgraduate Education**

1985	<b>Internship (Medicine, Surgery, Ob-Gyn, Pediatrics, Emergency Medicine, Family Practice)</b> Baptist Medical Center Brooklyn, New York
1989	<b>Residency in General Psychiatry and Fellowship in Child and Adolescent Psychiatry</b> University of Pittsburgh School of Medicine Pittsburgh, Pennsylvania
2002	<b>Fellowship in Forensic Psychiatry</b> University of Virginia School of Medicine Charlottesville, Virginia

**IV. Other Clinical/Hospital Appointments**

1986--1990	<b>Child and adolescent psychiatrist</b> Northern/Southwest Communities Child & Adolescent Mental Health and Mental Retardation Services Pittsburgh, Pennsylvania
1987--1989	<b>Psychiatrist</b> Waynesburg State Correctional Center for Women Waynesburg, Pennsylvania
1989-1990	<b>Clinical psychiatrist</b> Services for Teens at Risk (provided clinical evaluation and treatment, as well as supervision of cognitive behavioral therapists) in this research clinic for suicidal children and adolescents) Western Psychiatric Institute and Clinic

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University of Pittsburgh

1992--1993	<b>Private practice of psychiatry</b> Augusta Psychological Associates, Staunton, Virginia
1992--1994	<b>Medical staff</b> Waynesboro Community Hospital and Kings Daughters Hospital (now merged as Augusta Medical Center, Fishersville, Virginia)
1992--2002 2010--present	<b>Attending psychiatrist</b> Commonwealth Center for Children and Adolescents (formerly DeJarnette Center) Staunton, Virginia
1995--2000	<b>Clinical director, adolescent unit</b> Commonwealth Center for Children and Adolescents Staunton, Virginia
2004--present	<b>Psychiatrist</b> Shenandoah Valley Juvenile Detention Center Staunton, Virginia
2006--2008	<b>Psychiatrist</b> Pain Management Clinic University of Virginia Health System
2007-2009	<b>Psychiatrist</b> Blue Ridge Juvenile Detention Center Charlottesville, Virginia

## V. Licensure/Board Certification

### A. Certification

#### **Diplomate, National Board of Medical Examiners**

National Board of Examiners for Osteopathic Physicians and Surgeons  
July, 1985 (Certificate #11102)

#### **American Board of Psychiatry and Neurology (Psychiatry)**

November 1989 through present (Certificate #32025)

#### **American Board of Psychiatry and Neurology (Child & Adolescent Psychiatry)**

September 1991 through present (Certificate #2853)

#### **Sex Offender Treatment Provider Certification**

Virginia Department of Health Professionals (Certificate #0812000309)  
1999 through present

#### **American Board of Psychiatry and Neurology (Forensic Psychiatry)**

March 2005 through present (Certificate #1567)

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**B. Licensure**

**New York State Board of Medicine**

(#164566) Licensed in 1985 (now inactive)

**Pennsylvania State Board of Osteopathic Medicine**

(#OS005784L) Licensed in 1986 (now inactive)

**Virginia Board of Medicine**

(#37146) June 1992 – present

**VI. Honors and Awards**

1984	Delta Omega Scholarship Award
1984	CIBA Outstanding Medical Student Award
2006	Academy of Distinguished Educators
2009	Best Doctors in America

**VII. Professional Affiliations**

1985--present	American Psychiatric Association
1985--1993	Pennsylvania Psychiatric Society
1985--present	American Academy of Child & Adolescent Psychiatry Community Psychiatry Committee, 1993--2002 Rights and Legal Matters Committee, 2004--present
1989--1992	Pittsburgh Psychiatric Society
1992--present	Blue Ridge Psychiatric Society
1993--present	Virginia Psychiatric Society
1993--present	National Alliance for the Mentally Ill (NAMI)
1996--present	Virginia Alliance for the Mentally Ill
1999--present	Medical Society of Virginia
2000--present	American Academy of Psychiatry and the Law Committee on Children & Adolescents, 2009-present

**VIII. Teaching Activities**

**A. Supervisory and Administrative**

2002--present	Director of Forensic Child Psychiatry Clinic Institute of Law, Psychiatry and Public Policy Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2002--present	Course Director, Forensic Child Psychiatry Seminar Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2004--present	Assistant Program Director, Forensic Psychiatry Residency Training Program



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2005--present Department of Psychiatry and Neurobehavioral Sciences  
University of Virginia  
**Course Director, 4<sup>th</sup> year Psychiatry Residency Elective  
in Forensic Psychiatry**  
Department of Psychiatry and Neurobehavioral Sciences  
University of Virginia Health System

2006 **Sponsorship and supervision of Jefferson Extern in  
Child Psychiatry**  
University of Virginia

2006-2008 **Mentor of recipients of the Center for Global Health  
Grant**  
University of Virginia

**B. Medical Student Teaching**

2003--2009 **Group leader--Introduction to Psychological Medicine  
for 2<sup>nd</sup> year students**  
University of Virginia School of Medicine

2007--2009 **Supervisor--Selective in Child Psychiatry**  
University of Virginia School of Medicine

2007 **Cells to Society Mentor**  
University of Virginia School of Medicine

**C. Lectures/Seminars**

YEAR	COURSE	TALK	# per year	LENGTH	% Responsibility
1989-1992	Emergency Psychiatry Seminar (WPIC)	Pharmacologic Management of the Agitated and Violent Patient	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	The Mental Status Evaluation	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Psychiatric Presentations of Neurological Disorders	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Alcohol-Related Emergencies	3	1 hour	100%

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1989-1992	Emergency Psychiatry Seminar (WPIC)	Intoxication and Withdrawal Syndromes	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	The Personality Disordered Patient in the Emergency Setting	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Child and Adolescent Evaluation in the Emergency Setting	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	The Mental Status Evaluation	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Suicidality and Homicidality in the Emergency Setting	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Malingering and Deception	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Evaluating Suicidality in Children and Adolescents	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Evaluation of Lethality	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Dissociative Disorders	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Crisis Intervention in the Emergency Setting	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Geriatric Psychiatric Assessment in the Emergency Setting	3	1 hour	100%
1989-1992	Emergency Psychiatry Seminar (WPIC)	Organicity and Psychiatric Syndromes	3	1 hour	100%

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1989-1992	Emergency Psychiatry Seminar (WPIC)	Legal and Ethical Issues in the Psychiatric Emergency Setting	3	1 hour	100%
1993-1996	Child Psychiatry Seminar (UVA)	General Principles of Psychopharmacologic Treatment in Children and Adolescents	1	1 hour	100%
1993-1996	Child Psychiatry seminar (UVA)	Tricyclic Antidepressants and Mania in Children	1	1 hour	100%
1993-1996	Child Psychiatry Seminar (UVA)	The Use of Mood Stabilizers in Children and Adolescents	1	1 hour	100%
1993-1996	Child Psychiatry Seminar (UVA)	Pharmacologic treatment of ADHD	1	1 hour	100%
1993-1996	Child Psychiatry Seminar (UVA)	Delirium in Children	1	1 hour	100%
1993-1996	Child Psychiatry Seminar (UVA)	The Treatment of Psychosis in Children and Adolescents	1	1 hour	100%
1993-1996	Child Psychiatry seminar (UVA)	The Use of Antidepressants in Children and Adolescents	1	1 hour	100%
1993-1996	Child Psychiatry seminar (UVA)	Neuroleptic Malignant Syndrome— Pathology, Recognition, and Treatment	1	1 hour	100%
2000-present	Basic Forensic Evaluation	Issues of Psychopathology and the Juvenile Offender	2	2 hours	100%
2000-present	Basic Forensic Evaluation	Issues of Mental Retardation and the Juvenile Offender	2	2 hours	100%
2002-present	Child Psychiatry Forensic Seminar	Juvenile Justice	1	2 hours	100%
2002-present	Child Psychiatry Forensic	General Principles of Pediatric Forensic Evaluation	1	2 hours	100%

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2002-present	Seminar Child Psychiatry Forensic Seminar	Adolescent Development and Culpability	1	1 hour	100%
2002-present	Child Psychiatry Forensic Seminar	Child Custody Evaluation	1	3 hours	100%
2002-present	Child Psychiatry Forensic Seminar	Suicide and Suicide Risk Assessment	1	1 hour	100%
2006-present	Child Psychiatry Forensic Seminar	Competencies—Civil and Criminal	1	1 hour	100%
2006-present	Basic Forensic Evaluation	Clinical Evaluation of Sanity	2	2 hours	100%
2007--2009	Child Psychiatry Advanced Seminar Series	Trauma-Focused Cognitive Behavioral Therapy in Children and Adolescents	1	8 hours	100%
2009	Child Psychiatry Forensic Seminar	Sex Offending Youth: Clinical and Forensic Evaluation	1	2 hours	100%
2009	Child Psychiatry Forensic Seminar	Violence and Suicide Risk Assessment	1	2 hours	100%
2009, 2010	Mental Health, Juvenile Justice, and Family Law	Juvenile Sex Offenders	1	2 hours	100%
2009, 2010	Mental Health, Juvenile Justice, and Family Law	Child Custody	1	2 hours	100%

**D. Clinical Teaching**

1989--1992

**Emergency Psychiatry Seminar**

University of Pittsburgh Department of Psychiatry

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1989--1992	<b>Clinical Supervision</b> University of Pittsburgh Department of Psychiatry
1989--1992	<b>Clinical Case Conference</b> University of Pittsburgh Department of Psychiatry
1990--1992	<b>Interviewing Course</b> University of Pittsburgh Department of Psychiatry
1992--1998	<b>Clinical Case Conference</b> Commonwealth Center for Children and Adolescents (formerly DeJarnette Center)
1993--1996	<b>Child Psychiatry Psychopharmacology Seminar</b> Department of Psychiatric Medicine University of Virginia Health System
2002--2005	<b>Child Psychiatry Clinical Case Conference</b> Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2002--2010	<b>Attending Physician, Outpatient Child and Family Psychiatry Clinic</b> Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2002--present	<b>Attending Psychiatrist, Institute of Law, Psychiatry and Public Policy Forensic Clinic</b> Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2002--2010	<b>Attending Psychiatrist, Child Psychiatry Consultation Service</b> Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2002--present	<b>Resident Clinical Supervision</b> Department of Psychiatry and Neurobehavioral Science University of Virginia Health System
2003--present	<b>Attending Psychiatrist – Forensic Journal Club</b> Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System
2004--present	<b>Director of Child Psychiatry Community Psychiatry Rotation</b> Department of Psychiatry and Neurobehavioral Science University of Virginia Health System
2004--2009	<b>Coordinator of Forensic Clinical Case Conference</b> Institute of Law, Psychiatry and Public Policy Department of Psychiatry and Neurobehavioral Sciences University of Virginia Health System

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**2005--present****Attending Psychiatrist, Psychiatric Adult Inpatient Service**Department of Psychiatry and Neurobehavioral Sciences  
University of Virginia Health System**E. Grand Rounds****1987****Obsessive-Compulsive Behavior in a Nine-Year Old Boy**Western Psychiatric Institute and Clinic  
University of Pittsburgh Medical Center**1989****Psychopharmacology of Self-Injurious Behavior**Western Psychiatric Institute and Clinic  
University of Pittsburgh Medical Center**1989****Toxic Effects of Psychotropic Agents**Emergency Medicine Grand Rounds,  
Presbyterian University Hospital.  
University of Pittsburgh Medical Center**1990****Diagnostic Interviewing**Warren State Hospital  
Warren, Pennsylvania**2003****Issues in Juvenile Psychiatric Forensic Evaluation**Inova Mt. Vernon Hospital.  
Mt. Vernon, Virginia**2003****Juvenile Crime and Culpability**Psychiatry Grand Rounds  
University of Virginia Health System**2003****Juvenile Crime and Culpability**Western State Hospital  
Staunton, Virginia**2006****Munchausen by Proxy**Western State Hospital  
Staunton, Virginia**2007****Munchausen by Proxy: Clinical and Forensic Issues**Psychiatry Grand Rounds  
University of Virginia  
Charlottesville, Virginia**2009****Emotional Responses of Staff to Patient Assault**Western State Hospital  
University of Virginia

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**2009**                      **Child and Adolescent Antisocial Behavior--What Should Pediatricians Know About Prognosis and Public Policy?**  
Pediatrics Grand Rounds  
University of Virginia  
Charlottesville, Virginia

**F. Educational Administration and Leadership**

**1990--1991**              **Interviewer, General Psychiatry Residency Program**  
Western Psychiatric Institute and Clinic  
University of Pittsburgh

**1991**                      **Interviewer, Psychology Internship Program**  
Western Psychiatric Institute and Clinic  
University of Pittsburgh

**2002--2009**              **Interviewer, Child Psychiatry Fellowship Program**  
University of Virginia Health System

**2002--2009**              **Interviewer, Child Psychology Postdoctoral Fellowship**  
University of Virginia Health System

**2002--2009**              **Interviewer, General Psychiatry Residency Program**  
Department of Psychiatry and Neurobehavioral Sciences  
University of Virginia Health System

**2004--present**              **Assistant Program Director, Forensic Psychiatry Residency Training Program**  
Department of Psychiatry and Neurobehavioral Sciences  
University of Virginia Health System

**2009**                      **Development of child psychiatry rotation for pediatric residents**  
University of Virginia Health System

**IX. Invited Lectures and Teaching outside the School of Medicine**

**1989**                      **Evaluation of Behavioral Problems in Children in the Primary Care Setting**  
Family Practice Residency Program, St. Margaret's Hospital  
Pittsburgh, Pennsylvania

**1991**                      **Suicidality: Assessment and Management (Course)**  
University of Pittsburgh Center for Continuing Education in the Health Sciences  
East Liverpool, Ohio

**1992**                      **Psychiatric Emergencies in Children and Adolescents**

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- Family Practice Residency Program, St. Margaret's  
Hospital  
Pittsburgh, Pennsylvania
- 1999 **Influencing Children's Well Being in the Public Sector**  
Presentation at the 46<sup>th</sup> Annual Meeting of the American  
Academy of Child & Adolescent Psychiatry  
Chicago, Illinois
- 2000 **Community Psychiatry in the New Millennium**  
Presentation at the 47<sup>th</sup> Annual Meeting of the American  
Academy of Child & Adolescent Psychiatry  
New York, New York
- 2002 **Forensic Evaluation and Risk Assessment of Juveniles  
(course)**  
33<sup>rd</sup> Annual Meeting of the American Academy of  
Psychiatry and the Law (AAPL)  
Newport Beach, California
- 2002 **Post hoc Forensic Evaluation of Campus Suicide.  
Suicide, Violence, and Disruptive Behavior on  
University Campuses: Clinical, Administrative and  
Legal Issues**  
University of Virginia  
Charlottesville, Virginia
- 2002 **Threshold of Juvenile Adjudicative Competence**  
University of Virginia School of Law  
Charlottesville, Virginia
- 2002 **Clinical Evaluation of Children and Adolescents**  
Virginia Office of the Attorney General  
Richmond, Virginia
- 2003 **Evaluation of Competency to Stand Trial in Children  
and Adolescents (workshop)**  
50<sup>th</sup> Annual Meeting of the American Academy of Child  
and Adolescent Psychiatrists (AACAP)  
Miami, Florida
- 2003 **Issues in Juvenile Forensic Psychiatry**  
Virginia Psychiatric Society  
Roanoke, Virginia
- 2004 **Is Negotiation a Viable Solution to Reducing Seclusion  
and Restraint and Providing a Safe Environment?  
Reducing Seclusion and Restraint: Creating Culture  
Change and Transformation**



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	Virginia DMHMRSAS and the National Association of State Mental Health Program Directors Richmond, Virginia
2004--2005	<b>Forensic Risk Assessment</b> University of Virginia Charlottesville, Virginia
2005	<b>Panel discussant: Imaging the Adolescent's Brain: What We Have Learned about Judgment and Decisional Capacity</b> Advanced Forensic Evaluation Training Institute of Law, Psychiatry and Public Policy University of Virginia
2005	<b>Understanding "Psycho-babble" So You Can Ethically Serve as Guardian Ad Litem</b> 6 <sup>th</sup> Annual Advanced Guardian Ad Litem Seminar Virginia Continuing Legal Education, Virginia Law Foundation Richmond, Virginia
2005	<b>Panel Chair: Sentencing of Juveniles Who Commit Serious Offenses: What Have We Learned?</b> 29 <sup>th</sup> International Congress on Law and Mental Health Paris France
2005	<b>Mental Disorders among Juvenile Offenders</b> 29 <sup>th</sup> International Congress on Law and Mental Health Paris, France
2006	<b>Posttraumatic Stress Disorder in Litigation: Forensic Psychiatric Issues</b> Virginia Association of Defense Attorneys Keswick, Virginia
2006	<b>Evaluating Juveniles: Forensics, Child Custody and Competency</b> Ohio State University Department of Psychiatry and Columbus Children's Hospital Columbus, Ohio. Also Sponsored by the Psychiatry and the Courts Subcommittee of the Supreme Court of the Ohio Advisory Committee on Mental Illness and the Courts
2007	<b>Chair, Panel on Recovered Memories and False Confessions—Legal and Psychological Issues</b> 30 <sup>th</sup> International Congress on Law and Mental Health Padua, Italy
2007	<b>Recovered Memories of Early Sexual Abuse</b>

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- 2007 30<sup>th</sup> International Congress on Law and Mental Health  
 Padua, Italy  
**Juvenile Sexual Offenders: Update on Clinical and Forensic Evaluation Strategies (workshop)**  
 54<sup>th</sup> Annual Meeting of the American Academy of Child and Adolescent Psychiatrists (AACAP)  
 Boston, Massachusetts
- 2007 **Suicide Risk Assessment in Children and Adolescents**  
 Virginia Association of Community Services Boards  
 Culpeper, Virginia
- 2008 **Risk Assessment for Violence in Children and Adolescents**  
 Virginia Association of Community Services Boards  
 Culpeper, Virginia
- 2008 **Suicide Contagion**  
 Teen Culture Conference at the University of Virginia  
 Charlottesville, Virginia
- 2009 **Violence Risk Assessment in Youth**  
 Charlottesville-Albemarle Bar Association  
 Charlottesville, Virginia
- 2009 **Mental Health, Juvenile Justice, and Family Law Course**  
 University of Virginia School of Law  
 Charlottesville, Virginia
- 2009 **Evaluation of Juveniles Charged with Sex Offenses: How Do They Differ from Adult Offenders**  
 31<sup>st</sup> International Congress on Law and Mental Health  
 New York, New York  
 (June, 2009)
- 2009 **What Psychiatry, Developmental Psychology, and Neuroscience Can Teach Us about At-Risk Students**  
 Washington and Lee School of Law  
 Lexington, Virginia

## X. Development of New Curriculum and Teaching Materials

1995

Salguero C. and Ryan E. Community Child Psychiatry and Consultation to Agencies—Curriculum Module of Community Mental Health Centers in A Core Curriculum for Training in Community Psychiatry and Consultation to

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- 2003** Agencies developed by the American Academy of Child and Adolescent Psychiatry's Committee on Community Psychiatry.  
Warren, JI, **Ryan EP**, and Ritterband L. The Kid in Trouble: Issues of Development, Diagnosis, Treatment and Risk. A CD-ROM Tutorial. Funded by the Virginia Department of Criminal Justice Services, Juvenile Unit
- 2006** **Child and Adolescent Psychiatry and the Law**  
Ohio State University Child and Adolescent Forensic Psychiatry Fellowship  
Columbus Ohio

#### **XI. Development of Clinical Programs**

- 1990** **Development of Crisis Intervention Program**  
Diagnostic and Evaluation Center, Western Psychiatric Institute & Clinic  
University of Pittsburgh
- 2002--present** **Development of Child and Adolescent Forensic Clinic**  
This clinic provides forensic evaluation of children, adolescents, and their families for the courts (criminal and civil)  
Institute of Law, Psychiatry and Public Policy  
University of Virginia School of Medicine
- 2004--present** **Development of Child Psychiatry Evaluation and Treatment Program for Incarcerated Youth**  
Shenandoah Valley Juvenile Detention Center  
Staunton, Virginia  
Blue Ridge Juvenile Detention Center  
Charlottesville, Virginia

#### **XII. School, University, Hospitals, Departments, National and State Committees and Councils**

##### **A. School of Medicine (University of Virginia)**

- 2006--2007** **Chair, Search Committee for a forensic psychologist**  
Department of Psychiatry and Neurobehavioral Sciences  
University of Virginia School of Medicine
- 2007--present** **Membership Committee**  
Academy of Distinguished Educators  
University of Virginia School of Medicine

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**B. National****1993--2002****Community Psychiatry Committee**

American Academy of Child &amp; Adolescent Psychiatry

**2004--present****Rights and Legal Matters Committee**

American Academy of Child and Adolescent Psychiatry

**2006****Ohio State University Department of Psychiatry,  
Division of Child Psychiatry**

Columbus, Ohio

I provided consultation on decreasing seclusion and  
restraint and alternative strategies to seclusion and restraint  
on an inpatient pediatric psychiatry unit

**C. State****1988****Consultation around follow-up of violent adolescents**

Allegheny Valley Base Service Unit

New Kensington, Pennsylvania

**1988--1989****Consultation around outpatient needs and follow-up of  
violent adolescents discharged into the community**

Mayview State Hospital

Bridgeville, Pennsylvania

**1990****Consultation to Patient Care Peer Review Committee,  
Office of Mental Health**Commonwealth of Pennsylvania Department of Public  
Welfare

Harrisburg, Pennsylvania

**2006****Commission on Mental Health Law Reform—Task  
Force on Children and Adolescents**

Appointed by Chief Justice Leroy Roundtree Hassell, Sr.,  
Supreme Court of Virginia

**D. Institutional****1989--1991****Committee to revise the initial evaluation form and  
discharge summary**

Western Psychiatric Institute and Clinic

University of Pittsburgh, Pittsburgh, Pennsylvania

**1989--1990****Child Steering Committee**

Western Psychiatric Institute and Clinic

University of Pittsburgh, Pittsburgh, Pennsylvania

**1990--1992****Medical Records Committee**

Western Psychiatric Institute and Clinic

University of Pittsburgh, Pittsburgh, Pennsylvania

**1991--1992****Medical Emergency Committee**

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1991--1992	Western Psychiatric Institute and Clinic University of Pittsburgh, Pittsburgh, Pennsylvania <b>Managed Care Committee</b>
1991--1992	Western Psychiatric Institute and Clinic University of Pittsburgh, Pittsburgh, Pennsylvania <b>Academic Promotions Committee</b>
1995--1996	Western Psychiatric Institute and Clinic University of Pittsburgh, Pittsburgh, Pennsylvania <b>Clinical Staff Vice President</b>
1995--1996	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Clinical Review Committee</b>
1995--1997	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Quality Improvement Committee</b>
1995--2000	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Chair, Forensic Committee</b>
1996--1997	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Clinical Staff President</b> (during JCAHO review)
1996--1997	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Management Team</b>
1996--1998	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Chair, Seclusion &amp; Restraint Task Force</b>
1999--2002	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Forensic Coordinator</b>
2005--2006	Commonwealth Center for Children and Adolescents, Staunton, Virginia <b>Violent-Aggressive Patient (VAP) Behavioral Response Committee</b>
	University of Virginia Health System Charlottesville, Virginia

**XIII. Other Professional Activities**

2007

**Journal of Current Psychiatry**  
Reviewer

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2009 **Journal of Forensic Nursing**  
Reviewer

#### **XIV. Publications**

##### **A. Peer Reviewed Journals**

**Ryan E.P.**, Helsel WJ, Lubetsky MD, Miewald BK, Hersen M, and Bridge J (1989). Use of Naltrexone in Reducing Self-Injurious Behavior: A Single Case Analysis. *Journal of the Multihandicapped Person*, 2(4): 295-309.  
This journal is now the *Journal of Developmental and Physical Disabilities*.

Cox Jones C, Vallano G, **Ryan E.**, Helsel WJ, and Rancurello MD (1991). Self-Injurious Behavior: Strategies for Assessment and Management. *Psychiatric Annals*, 21(5): 9-11.

Warren JI, Aaron J, **Ryan E.**, Chaun P, and DuVal J (2003). Correlates of Adjudicative Competence Among Psychiatrically Impaired Juveniles. *Journal of the American Academy of Psychiatry and the Law*, 31(3): 299-309.

**Ryan EP**, Sparrow V, Messick D, Aaron J and Burnette M (2004). A Prospective Study of Assault against Staff by Youths in a Pediatric State Hospital. *Psychiatric Services*, 55(6): 665-670.

**Ryan EP** and Redding RE (2004). A Review of Mood Disorders Among Juvenile Offenders. *Psychiatric Services*, 55 (12): 1397-1407.

**Ryan, EP**, Aaron J, and Sparrow Hart V (2004). Reducing Assaults among Hospitalized Youths. *Psychiatric Services*, 55(11) 1318.

**Ryan EP** and Murrie, D (2005). Competence to Stand Trial and Young Children: Is the Presumption of Competence Valid? *Journal of Forensic Psychology Practice*, 5(1): 89-102.

**Ryan EP** and Berson, SB (2006). Mental Illness and the Death Penalty. *Saint Louis University School of Law Public Law Review*, 25(2): 351-381.

**Ryan EP**, Aaron, J, Burnette M, Warren JI, Aaron T (2008). Psychological Responses of Staff to Patient Assault in a Pediatric Psychiatric State Hospital. *Journal of the American Academy of Psychiatry and Law*, 36: 360-368.

Warren, JI, DuVal J, Komarovska I, Chauhan P, Buffington-Vollum J, **Ryan E** (2009). Developing a Forensic System for Juveniles Adjudicated Incompetent to Stand Trial. *International Journal of Forensic Mental Health*, 8: 245-262.

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Ryan EP (in press). What Psychiatry, Developmental Psychology, and Neuroscience Can Teach Us about At-Risk Students. *Journal of Civil Rights and Social Justice*.

Ryan EP, Burnette ML, Aaron J, Sparrow-Hart V, Messick D (Submitted for publication). Correlates of staff assaults perpetuated by youth in a psychiatric hospital.

### **B. Books**

Ryan EP, Murrie D, Hunter J (in preparation). Evaluation and Treatment of Juveniles Who Sexually Offend. New York: Oxford University Press.

### **C. Book Chapters**

Ryan EP (1995). Clinical Interviewing. In VB Van Hasselt and M Hersen (Eds.), Handbook of Adolescent Psychopathology: A Guide to Diagnosis and Treatment. New York: Macmillan Publishing.

Ryan EP (1998). Psychiatric Emergencies in the Pediatric Setting. In RT Ammerman and JV Campo (Eds.), Handbook of Pediatric Psychology and Psychiatry. New York: Allyn & Bacon.

Redding R, Lexcen FJ, and Ryan EP (2004). Mental health treatment for juvenile offenders in residential psychiatric and juvenile justice settings. In K. Heilbrun, N. Goldstein, & R. Redding (Eds.), Current perspectives on juvenile delinquency: Prevention, assessment, and intervention. New York: Oxford University Press.

Ryan EP, Burket R, Aaron J, Collins J, Tucker (in preparation). Adolescent and Child psychiatry. In B Johnson, B Cohen, and N Ait-Daoud (Eds.) *Handbook on Psychiatric Practice: Principles and Applications*. World Scientific Publishing/ Imperial College Press.

### **D. Book Review**

Ryan EP (2005). Review of *Juvenile Justice Sourcebook: Past, Present, and Future*, by Albert R. Roberts (Editor). New York: Oxford University Press, 2004. In *Community Mental Health Journal*, 40(6), 755-756.

### **E. Health Education**

Ryan EP (2001). Mood Disorders in Juvenile Offenders. Juvenile Justice Fact Sheet. Institute of Law, Psychiatry & Public Policy, University of Virginia.

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Burket RC, **Ryan EP**, Lyles BW (2004). "Arrest Histories in Adolescents with Emotional Problems." Poster session, presented at the 2004 Annual Meeting of the American Academy of Psychiatry and the Law, Scottsdale, Arizona.

**Ryan EP** (2001). Mood Disorders in Juvenile Offenders: Symptoms and Treatments. In R.E. Redding (Ed.), Mental Health Needs of Juvenile Offenders: Identification and Treatment. A Reference and Training Manual for Juvenile Justice Professionals. Virginia Department of Criminal Justice Services.

Hall K, Massaro TA, Ngwenya BN, Nthomang K, Patrick P, Phaladze NA, **Ryan E** (2007). Psychosocial Support for Children: A Guidebook for Service Providers. A Joint Venture from The University of Botswana and The University of Virginia.



## **EXHIBIT B**

INSTITUTE OF **Law, Psychiatry** —————  
and **Public Policy** UNIVERSITY OF VIRGINIA  
P.O. Box 800660 • UVA Health System • Charlottesville, Virginia 22908-0660

October 15, 2010

Brian A. Hill, Esquire  
Miller Chevalier  
655 Fifteenth Street, N.W.  
Suite 900  
Washington, D.C. 20005-5701  
Fax: (202) 626-5801

Dear Mr. Hill,

As per your request, I offer the following information regarding my trial and deposition testimony over the past four years.

**Deposition Testimony**

*Johnny Doe v. Northern Virginia Baptist Center* (2006).

*Penny Curry v. John K. Marlow, et al.* (2007).

*Victoria Mantyla v. C. Prasad and Fairfax Hospital* (2008).

*Jared Hyams, a minor, by and through his parents and Natural  
Guardians, Douglas and Linda Hyams, et al. v. Cleveland Clinic  
Foundation, et al.* (2009).

*Estate of John C. Sanford v. VCU Health System/MCV Hospitals and Physicians* (2009).

*Antoinette Marie Sherman v. R.M.D. Corp., d/b/a Hooters of Knoxville* (2010).

*Schulz v. Schulz* (2010).

**Trial Testimony**

*Commonwealth of Virginia v. Matthew Lotz* (2006). Augusta County Circuit Court.

*Commonwealth of Virginia v. Alan Newsom* (2006). Albemarle County J&DR.

Richard Bonnie, L.L.B./Director  
Bruce Cohen, M.D., Thomas Hafemeister, J.D., Ph.D.,  
Shelly Jackson, Ph.D., John Monahan, Ph.D., Daniel Murrie, Ph.D.,  
Eileen Ryan, D.O., Janet Warren, D.S.W.  
Telephone 434-924-5435 • Facsimile 434-924-5788 • Website [www.ilppp.virginia.edu](http://www.ilppp.virginia.edu)  
Street delivery: 1230 Cedars Court, Suite B, Charlottesville, VA 22903

*Testimony of Eileen Ryan 2006-2010*  
*October 15, 2010*  
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*Commonwealth of Virginia v. Chaunnoah Green* (2006). Fairfax County Circuit Court.

*Commonwealth of Virginia v. Daunteril Hall* (2007). Loudon County Circuit Court.

*Commonwealth of Virginia v. Vincent Harold Marshall* (2007). Warren County Circuit Court.

*In Re: Grace P. Scott* (2008). Louisa County Circuit Court.

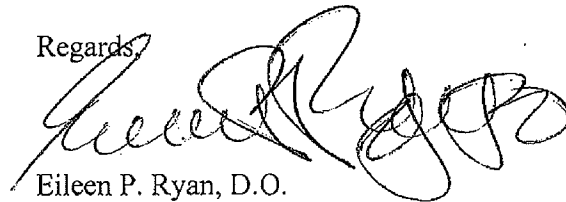
*In Re: Allison Victoria Snoddy* (2008). Albemarle County Circuit Court.

*Victoria Mantyla v. C. Prasad and Fairfax Hospital* (2008). Fairfax County Circuit Court.

*Schulz v. Schulz* (2009). Madison County Circuit Court.

*Schulz v. Schulz-West* (2010), Culpeper Circuit Court

Regards,

A handwritten signature in black ink, appearing to read 'Eileen Ryan', with a stylized flourish at the end.

Eileen P. Ryan, D.O.  
Associate Professor of Psychiatry &  
Neurobehavioral Sciences  
Medical Director, Institute of Law,  
Psychiatry & Public Policy  
University of Virginia